

REMARKS/ARGUMENTS

Applicant submits this Amendment After Final (“Amendment”), together with a Terminal Disclaimer and a Petition for Extension of Time, in reply to the Final Office Action (“Office Action”) mailed October 7, 2003.

In this Amendment, Applicant proposes to amend the specification and abstract; proposes to cancel, without prejudice or disclaimer, claims 44 and 61; and proposes to amend claims 43, 58-60, 64, and 75.

Before entry of this Amendment, claims 43-75 were pending in this application. After entry of this Amendment, claims 43, 45-60, and 62-75 are pending in this application.

The originally-filed specification, claims, abstract, and drawings fully support the proposed amendments to the specification, abstract, and claims 43, 45-60, and 62-75. No new matter was introduced.

In the Office Action, the Examiner rejected claims 43-75 under 35 U.S.C. § 112, ¶ 1; rejected claims 43-75 under 35 U.S.C. § 112, ¶ 2; and rejected claims 43-75 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-34 of U.S. Patent No. 6,457,504 (“the ’504 patent”).

Applicant respectfully traverses the Examiner’s rejections for at least the reasons discussed in this Amendment.

Rejections Under 35 U.S.C. § 112, ¶ 1

Applicant proposes to amend claims 43, 59, and 60, substantially as suggested by the Examiner, and replace “at least a first series of strip sections” with “a first series of strip sections.” However, with regard to the recitation “at least one second series of strip sections,”

Applicant respectfully points out that at least page 8, lines 24-25, of the originally-filed specification and originally-filed claim 2 both recite “at least one second series of [strip] sections.” Applicant submits that these amendments and comments obviate the first of the rejections under 35 U.S.C. § 112, ¶ 1.

Applicant proposes to cancel, without prejudice or disclaimer, claims 44 and 61. Applicant submits that these cancellations obviate the second of the rejections under 35 U.S.C. § 112, ¶ 1.

With regard to the rejection of claim 59 for reciting “wherein the second elastomer material may be the same as or different than the first elastomer material,” Applicant notes that page 20, lines 25-28, of the originally-filed specification recites “a filling body 22 of elastomer material, preferably of the thermoplastic type, of a hardness included between 48° and 55° Shore D, measured at a temperature of 23°C.” Applicant submits that one of skill in the art would understand this recitation and the rest of the originally-filed specification as disclosing, for example, that such an elastomer material might not be used throughout a tyre. Thus, one of ordinary skill in the art would understand that such an elastomer material used in the filling body might be different from an elastomer material used in other portions of the tyre, for example, in strip sections, a tread band, and/or sidewalls.

However, to advance prosecution of this application, Applicant proposes to amend claim 59 to delete the recitation “wherein the second elastomer material may be the same as or different than the first elastomer material.” Applicant submits that these amendments and comments obviate the third of the rejections under 35 U.S.C. § 112, ¶ 1.

Rejections Under 35 U.S.C. § 112, ¶ 2

As discussed above, Applicant proposes to cancel, without prejudice or disclaimer, claims 44 and 61. Applicant submits that these cancellations obviate the rejections under 35 U.S.C. § 112, ¶ 2.

Other Amendments

Applicant proposes to amend the title and Abstract of the Disclosure to more closely parallel the recitations of the claims.

Additionally, Applicant proposes to amend claims 58, 64, and 75 to improve clarity.

Terminal Disclaimer

Applicant submits a Terminal Disclaimer to overcome the obviousness-type double patenting rejection over claims 1-34 of the '504 patent. As a result, Applicant submits that claims 43, 45-60, and 62-75 are patentable over the cited art.

Claim Scope

In discussing the specification, claims, abstract, and drawings of the present application in this Amendment, it is to be understood that Applicant is in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicant believes that Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Summary

Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 43, 45-60, and 62-75 in condition for allowance. Applicant

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submits that the proposed amendments to claims 43, 58-60, 64, and 75 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, because all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

It is respectfully submitted that the entering of this Amendment would allow the Applicant to reply to the final rejections and place the application in condition for allowance.

Finally, Applicant submits that the entry of this Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing amendments and remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior-art references cited against this application. Applicant therefore requests the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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By: _____
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ABSTRACT OF THE DISCLOSURE

A carcass structure for a two-wheeled vehicle tyre includes at least one carcass ply and a pair of annular reinforcing structures. The at least one carcass ply includes a first series and at least one second series of strip sections circumferentially distributed in a mutually-alternated sequence around a geometric rotation axis of the tyre. Each strip section includes longitudinal and parallel thread elements at least partly coated with at least one layer of elastomer material and extends in a substantially U-shaped configuration to define two side portions and a crown portion. The annular reinforcing structures are applied against end flaps of the first series of strip sections and are overlapped by end flaps of the at least one second series of strip sections. Each of the annular reinforcing structures includes an annular anchoring insert, including one or more elongated elements extending in radially-concentric coils, and at least one filling body.

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